

Commissioner Minutes

October 30, 2025 – 2:29 p.m. to 3:40 p.m.

PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCE – CITY OF NOTUS, CASE NO. OR2025-0012

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Deputy P.A. Zach Wesley

Principal Planner Michelle Barron

Associate Planner Amber Lewter

Associate Planner Arbay Mberwa

Planning Supervisor Dan Lister

DSD Director Jay Gibbons

Director of Constituent Services Aaron Williams

Michelle DeGiorgio

Dino DeGiorgio

David Porterfield

Keri Smith

Antonio Conti

George Crookham

Other interested citizens

Deputy Clerk Jenen Ross_____

PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCE – CITY OF NOTUS, CASE NO. OR2025-0012

The Board met today at 2:29 p.m. for a public hearing to consider an area of impact ordinance for the City of Notus, Case no. OR2025-0012. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, Principal Planner Michelle Barron, Associate Planner Amber Lewter, Associate Planner Arbay Mberwa, Planning Supervisor Dan Lister, DSD Director Jay Gibbons, Director of Constituent Services Aaron Williams, Michelle DeGiorgio, Dino DeGiorgio, David Porterfield, Keri Smith, Antonio Conti, George Crookham, Other interested citizens, and Deputy Clerk Jenen Ross.

Michelle Barron gave the staff report and PowerPoint presentation as follows: The Idaho State statute 67-6526 regarding area of impact for cities within the counties was updated during the 2024 Idaho legislative session. Each city was directed to work with the county jurisdiction to either establish, confirm, or modify the current area of impact based on five criteria that were

put in place with the updated state statute. Canyon County has worked with each city to bring forward at a public hearing, the evidence to support their requested area of impact, a deadline for compliance with the updated Idaho code 67-6526 is December 31st, 2025. The county commissioners shall make the final decision for the area of impact boundaries within their county. The area of impact should be planned for growth and development and should not be used to stop growth and development that conforms to applicable plans and ordinances. Areas of impact should be based on the ability and likelihood of a city or cities to annex lands within the area of impact in the near future. The counties and cities shall review their area of impact boundaries at least every five years. The full Idaho State statute 67-6526 can be found in Exhibit B1 of the staff report. The City of Notus requests to significantly reduce their existing area of impact on all sides. The original request supplied by the applicant asked for a reduced area of impact with two potential map options. Map one, which is Exhibit A2, showed a reduction that was approved by the Notus city council. Map number two, which is exhibit A3 in your packets, was created after more reflection on the state law and the five criteria just prior to the materials deadline. Notus informed staff that the city's engineer was recommending a third option, and this can be seen in their presentation materials. In Exhibit A5, staff spoke with Mayor Porterfield about the process for submitting a new map. At this stage of the overall process, if Notus wants to pursue the third option, a new hearing needs to be noticed. Staff analysis is based on map number two as shown in Exhibit A3 in the staff report. The City of Notus proposed area of impact is 1,111 acres, which is a 7,793 acre reduction from the current area of impact. The city limits that are shown within the area of impact is 637 acres. Per Idaho State statute 67-6526(4)(A) there are five criteria that a city must provide evidence in support of if they are wishing to either establish, confirm, or modify the area of impact. The City of Notus is anticipating moderate commercial and residential growth in the proposed area of impact that has been below COMPASS estimates. A recent approval of 169 unit subdivision will add approximately 490 residents within the next five to seven years. The city has proposed a reduced area of impact that directs the city's growth into areas that are just past the current city boundaries. During the city's presentation, they will speak to the potential development within the next five years. The city has some commercial and industrial zoning that runs along the Highway 20/26 corridor. There is a rail spur that runs along the same route, lending itself to commercial and industrial growth, as shown in Exhibit A3. Highway 20/26 and the Union Pacific Railroad runs through the City of Notus and through portions of the proposed area of impact. The southern portion of the city limits has floodplain areas from the Boise River. The soils in the proposed area of impact have primarily class three soils, moderately suited and land of statewide importance if irrigated and reclaimed of excessive salts and sodium. There are no geographic factors that would prohibit the growth that is proposed in the area of impact update. Floodplain measures would be in effect per state, county, and or city code in the areas

where there is an existing floodplain. Notus has two critical transportation corridors, Highway 20/26, which is referred to as Elgin Avenue, and the Union Pacific Railroad. Highway 20/26 connects the city to Interstate 84 on the east and US Highway 95 to the west, both within five to six miles. Notus Road is within five miles of State Highway 19. Notus states the local roads are in fair to good condition with right-of-way widths of 50 to 80 feet. New subdivisions may require upgraded collectors and traffic planning. The city is working on a transportation plan for 2026 with Highway 20/26 running through Notus as well as the railroad. Staff finds this criterion can be met. The City of Notus anticipates providing municipal water and sewer to the proposed area of impact within the next five years. Notus provides municipal water through a two well system and sewer service through a 20 acre treatment facility southwest of the city; both have capacity beyond the current 640 residents. Several upgrades have occurred recently. There is a 169 unit subdivision plan for the city. The current water capacity is sufficient, and the developer is funding a backup well. The developer may also need to assist with the sewer expansion for the final phase. According to Canyon County School District Map, Notus School district currently serves the proposed area of impact to the North and Vallivue School District serves the proposed area of impact in a portion of the south that can be seen In Exhibit B4.2. The Notus School District and Vallivue School Districts were notified, and no comments were received by the comment deadline. It's not anticipated that the school district will be negatively impacted by the requested area of impact boundary. The City of Notus has police coverage with a combination of contracted services by the City of Parma Police and Canyon County Sheriff Department. A newer 24/7 fire department substation of Caldwell Rural Fire District serves the area and into the proposed area of impact. Fire emergency response times are excellent, and backup is provided by Caldwell City Fire through mutual aid agreements per state law 67-6526. In addition to the five criteria for the cities to establish an area of impact, there are three additional requirements. The City of Notus's proposed area of impact does not exceed two miles outside of Notus city limits and does not exceed the area that is very likely to be annexed to the city within the next five years. The proposed area of impact encompasses full parcels. The proposed impact area does not cross county boundary lines. The proposed impact area does not overlap with a neighboring city's area of impact. Notification was done as required by code. The agency and public comments can be seen in exhibits C and D of the staff report. In consideration of the application and supporting material, staff concludes that the proposed area of impact boundary modification is compliant with Idaho State Law 67-6526, and the impact boundary should be adopted as shown in Exhibit A3. Additionally, there is a long parcel outside of the Notus city limits that has been annexed into the city and extends past their original area of impact.

Mayor David Porterfield spoke on behalf of the City of Notus reviewing the 5 criteria.

- They are waiting on the final plans to develop a 169 unit subdivision which will increase the city's number of units by 67%; the anticipated population growth is about 490 persons. Their commercial strategic plan is currently in progress, and they are trying to anticipate the possibility of commercial development within the city.
- The agricultural planes in the area are very rich soil. The Boise River floodplain causes a few constraints in regard to development. The topography in the area is good for development. They realize that both ag and non-ag related interests must be considered in transitioning to new economic conditions. Generally, they try to guide expansion close to the central city area.
- Notus is uniquely positioned along two critical transportation corridors, Highway 20/26 and the Union Pacific railroad, and they have very convenient connections to other major corridors through the county. Last year they received a \$1.4 million grant for design of connector roads including Notus Rd., 1st Street, and Jasper Ave.
- There are several areas for expansion including the Conway Subdivision, an area to the east of Purple Sage Rd., the school district, and a library/community center development
- The city seeks to maintain constructive relationships and contribute to the mutual benefit of the surrounding communities that provide support to the City of Notus.

Mr. Porterfield spoke about the multiple iterations their AOI boundary map has been through, which are indicated as maps 1, 2, and 3 of Exhibit A5 in the staff report.

Mr. Conti, the city engineer for the City of Notus, spoke about the development in the SE area and the conversations had with a developer regarding water, sewer, and the requirement of a lift station.

At the request of Commissioner Van Beek, Mr. Porterfield spoke about the transportation grant they recently received; he explained that was to be used on updating and upgrading roads within the current city limits.

Michelle DeGiorgio offered comments regarding Notus's growing pains. The northeast annexation area was done without the community support. She thinks the AOI is ludicrous and is opposed.

Keri Smith feels Notus did a good job talking about their ability to annex but has concerns about the city's ability to support any potential development. Additionally, there are no

healthcare services in Notus, this is an essential service. While she supports their efforts to grow, she wants it to be healthy growth.

George Crookham agrees with Ms. Smith's comments and felt everything was highly speculative and doesn't fall within the 5 year window. In response to Commissioner Holton's question, Mr. Crookham said Growing Together likes the second map presented in exhibit A3.

The Board concurred that the SE section would be removed from the discussion as there was no noticing done in that area. Additionally, the Board is in favor of accepting the Exhibit A3 map.

Commissioner Brooks made a motion approve OR2025-0012, the City of Notus's area of impact with the exhibit A3 map finding the application is compliant and does meet the required criteria for approval under state law 67-6526. The motion was seconded by Commissioner Van Beek with discussion. Commissioner Brooks amended the motion to also replace Canyon County code of ordinance 09-13-11 with the approved AOI map. Commissioner Van Beek seconded the amended motion.

Commissioner Holton motioned to have staff come back with FCOs and a revised map to be considered at a later date. Commissioner Van Beek seconded the motion which carried unanimously.

Upon the motion of Commissioner Van Beek and second by Commissioner Brooks the Board voted unanimously to adjourn. The hearing concluded at 3:40 p.m. and an audio recording is on file in the Commissioners' Office.